

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
HARRISONBURG DIVISION**

AUG 13 2013

JULIA C. DUDLEY, CLERK
BY: *Dudley*
DEPUTY CLERK

For the reasons stated in the accompanying Memorandum Opinion, it is hereby

ORDERED and ADJUDGED

that Desanges' 28 U.S.C. § 2255 motion (ECF No. 88) is **DISMISSED without prejudice** as successive and this case is hereby **STRICKEN** from the active docket of the court.

Further, finding that Desanges has failed to make the requisite substantial showing of the denial of a constitutional right as required by 28 U.S.C. § 2253(c), a certificate of appealability is **DENIED**.

The Clerk is directed to send copies of this Order and the accompanying Memorandum Opinion to the parties.

ENTER: This 13th day of August, 2013.

United States District Judge